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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,470	05/17/2001	Masao Murade	109337	1628

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EXAMINER

PARKER, KENNETH

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 12/20/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/858,470

Applicant(s)

Murade

Examiner

Kenneth Parker

Art Unit

2871



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s): \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s): 4 20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4 and 8-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4 "conductive interlayers" lacks antecedent basis. Only one had been previously specified. Is this now claiming more than one?

In claims 8-14, the electrical connection of two leads is specified as in parallel, however, as nothing else at all is specified relating to electrical connection of the elements, there is a gap in the connection which renders the connection indefinite.

In claim 9, some leads are specified as related to some other leads, what lead being specified. Therefore the structure of these element has gaps rendering the claims indefinite.

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*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claim 1-5 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sato et al, U.S. Patent # 6,081,305.

This reference discloses the elements of claim 1, data and scan lines, conductive layer CL that connects the switching element SE to the pixel electrode PE, peripheral circuit PC that has leads that uses that layer, those of claim 2, first and second holes connecting the conductive layer to the PE and SE respectively, those of claim 3 as it has a capacitor, part of the CL and one end to the PE, 4 the CL is light insulating (as are any metalization layers), and the of claim 5 indicates

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the device is part of an electronic apparatus (and LCD or projector are types of electronic apparatus.

Therefore, these claims are anticipated by this reference.

***Claim Rejections - 35 USC § 103***

**The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

**(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.**

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

**4. Claims 6 -33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al, U.S. Patent # 6,081,305.**

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Claim 6 is as 1, relating to 3 conductive layers, CL is 2nd, and scan lines SL is first, DL second. Claims 8-14 give some parallel and branched leads, claim 15 has the 3 layers in the peripheral circuit, claims 16-18 the capacitor description as stated above, claim 19 has the first electrode as polysilicon, 20 the third as aluminum, 20 has higher melting point layer for the second, claim 28 has polysilicon, and claim 32-33 has as claim 1 written in method language Claim 23 is as 1, claim 24-27 and 29-30 as 6, with the leads being substantially the same size (as always is).

The connection of some parallel line to branched lines in matrix connections was conventional, as was the equal matrix components being the same size, and therefore would have been obvious for that reason\*\*. The claimed circuit elements were the conventionally employed, and obvious for that reason\*\*. The method claims merely state the step of making the device, which are therefore required to make the device, and therefore obvious over the device.

**5. Claims 1 -33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima, U.S. Patent # 6,141,066.**

Lacking from the disclosure is the indication of any peripheral driving circuit or any details. It was notoriously well known to include the drivers to reduce the cost of adding and connecting driving chips, and to use the same process and structure in the peripheral region to avoid the unnecessary design and manufacturing steps of not doing so, which would therefore have been obvious for that reason\*\*.

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The connection of some parallel line to branched lines in matrix connections was conventional, as was the equal matrix components being the same size, and therefore would have been obvious for that reason. The claimed circuit elements were the conventionally employed, and obvious for that reason. The method claims merely state the step of making the device, which are therefore required to make the device, and therefore obvious over the device.

6. **Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al, U.S. Patent # 6,034,749.**

Lacking from the disclosure is the indication of any peripheral driving circuit or any details. It was notoriously well known to include the drivers to reduce the cost of adding and connecting driving chips, and to use the same process and structure in the peripheral region to avoid the unnecessary design and manufacturing steps of not doing so, which would therefore have been obvious for that reason.

The connection of some parallel line to branched lines in matrix connections was conventional, as was the equal matrix components being the same size, and therefore would have been obvious for that reason. The claimed circuit elements were the conventionally employed, and obvious for that reason. The method claims merely state the step of making the device, which are therefore required to make the device, and therefore obvious over the device.

*Conclusion*

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Parker whose telephone number is (703) 305-6202. The fax phone number for this Group is (703) 308-7722. Any inquiry of a general nature or relating to the status of this application or preceding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

December 15, 2001

  
KENNETH ALLEN PARKER  
PRIMARY PATENT EXAMINER  
GAU 2871